GOVERNMENT OF ANDHRA PRADESH
ABSTRACT.

Transport Department- Public Servants- Allegations of corruption against the staff of the Transport Check Post on NH-9 at Garikapadu Village, Krishna District-Surprise Check conducted by the ACB Officials on 10/11-08-2009- Disciplinary Proceedings initiated against Sri I.Sainath, Motor Vehicle Inspector, and Five(5) others under Rule 20 of the A.P.C.S.(C,C&A)Rules, 1991- Charges framed-Explanations received- Case entrusted to Commissioner Of Inquiries(COI) for Enquiry- Enquiry Conducted and Report of Enquiry Submitted- Charges held Not Proved-Further Action dropped against Sri I.Sainath, Motor Vehicle Inspector, Sri P.Seshagiri Rao, Asst. Motor Vehicle Inspector, Sri V.Ramakrishna, Asst. Motor Vehicle Inspector, and Sri M.Ram Kumar, Tr.Constable- Orders-Issued.

TRANSPORT, ROADS & BUILDINGS(VIG.TR.)DEPARTMENT

G.O.Rt.No.131 **Dated:02.05.2017.**

Read the following:

1) From the Director-General, Anti-Corruption Bureau, Hyderabad, Letter Rc.No.33/DES-VKI/2009-59, Dated:29.10.2010.
2) Govt. Memo No.15969/Vig.III/A1/2010-1, T,R&B(VIG.III)Deptt., Dated:09.02.2011.
3) Charge Memos Nos.8239/V3/2010-1 to 6, Dated:18.09.2012 of Transport Commissioner, A.P., Hyderabad.
4) From Sri I.Sainath, Motor Vehicle Inspector, and five others, Written Statements of Defences.
5) From the Transport Commissioner, A.P., Hyderabad, Letter No. 8239/V3/2010, Dated:29.04.2013.
6) From the Transport Commissioner, A.P., Hyderabad, Letter No. 8239/V3/2010, Dated:12.11.2014.
7) G.O.Rt.No.174, Transport, Roads & Buildings(VIG.TR.) Department, Dated:09.04.2015.
8) G.O.Rt.No.308, Transport, Roads & Buildings(VIG.TR.) Department, Dated:18.06.2015.
9) From the Commissioner Of Inquiries(COI.H) & Inquiring Authority, General Administration Department, D.O.Letter No. 87/COI.H/2015, Dated:30.11.2016.

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ORDER:

In the reference first read above, the Director General, Anti Corruption Bureau, A.P., has informed that on credible information that the Staff of the Transport Department Check Post situated at Garikapadu Village, Krishna District on N.H-9 were indulging in corrupt practices by collecting bribes from the Drivers of Vehicles passing through the Check Post, the Bureau conducted a Surprise Check on 10/11.08.2009 on the said RTA Check Post and found certain irregularities.

2. Based on the recommendations made by the Director-General, Anti-Corruption Bureau in the reference 1st read above and in pursuance of the directions issued by Government in the reference 2nd read above, the Transport Commissioner, A.P. has initiated Disciplinary Proceedings against the following Officials:-

1)Sri I.Sainath, Motor Vehicle Inspector
2)Sri B.R.K.Satya Murthy, Asst. Motor Vehicle Inspector
3)Sri V. Ramakrishna, Asst. Motor Vehicle Inspector
4)Sri P.Seshagiri Rao, Asst. Motor Vehicle Inspector
5)Sri B.Sankar, Asst. Motor Vehicle Inspector &
6)Sri M.Ram Kumar, Transport Constable.

3. The Transport Commissioner, A.P., in his Letter fifth read above, while forwarding copies of Charge Memos, Written Statements of Defences submitted by all the Six Charged Officers, has informed that all the Six Charged Officers have submitted their Written Statements of Defences to the Transport Commissioner, being the Disciplinary Authority, and as the Explanations submitted by the Charged Officers were found to be not satisfactory, it was considered that a Regular Enquiry has to be conducted against all the Charged Officers and, therefore, requested the Govt. to entrust the case to Commissioner Of Inquiries for conducting Detailed Enquiry.

4. The Transport Commissioner, A.P., Hyderabad, in his Letter 5th read above, has also informed that one of the Charged Officers, Sri B.Sankar, the then Asst. Motor Vehicle Inspector, has filed O.A.No.8227/2012 in the A.P. Administrative Tribunal to consider him for promotion to the post of Motor Vehicle Inspector without reference to the Charge Memo and on the Interim Orders passed by the Tribunal on 13.03.2003, Sri B.Sankar, Asst. Motor Vehicle Inspector, was promoted as Motor Vehicle Inspector pending Final Orders in O.A.No.8227/2012 filed by him.

5. The Transport Commissioner, A.P., Hyderabad, vide reference 6th read above, has further informed that Sri B.Sankar, Motor Vehicle Inspector, and another Charged Officer, Sri B.R.K.Satya Murthy, Asst. Motor Vehicle Inspector, are working in the Telangana State, and requested the Government to take an appropriate decision on the disciplinary action initiated against:- 1)Sri B.Sankar, Motor Vehicle Inspector, 2)Sri B.R.K. Satya Murthy, Asst. Motor Vehicle Inspector, and also against the other Four Transport Officials who are involved in this case.

6. Government, after careful examination of the matter, have observed that since the Disciplinary Proceedings were initiated against the Six(6) Charged Officers during the year 2012 in the Undivided State of A.P. but later Two Charged Officers, namely, Sri B.R.K.Satya Murthy, Asst. Motor Vehicle Inspector, and Sri B.Sankar, the then Asst. Motor Vehicle Inspector, were transferred to Zone-V and Zone-VI respectively, that even though they are now working in Telangana, the majority of Charged Officers belong to Andhra Pradesh, and, therefore, have decided to continue Disciplinary Proceedings against 1)Sri I.Sainath, Motor Vehicle Inspector, 2)Sri B.R.K.Satya Murthy, 3)Sri V. Ramakrishna, 4)Sri P.Seshagiri Rao, Asst. Motor Vehicle Inspectors, and 5)Sri M.Ram Kumar, Transport Constable, by entrusting the Disciplinary Case to Commissioner Of Inquiries(KSR) for conducting Common Enquiry, and Orders were issued in the reference seventh read above appointing Sri K.Sahadeva Reddy, Member(COI), as the Inquiring Authority. Subsequently, Revised Orders were issued in the reference eighth read above for re-assigning this Disciplinary Case to Commissioner Of Inquiries(H), to continue the Enquiry from where it was stopped by the former Inquiring Authority.

7. However, in respect of Sri B.Sankar, the then Asst. Motor Vehicle Inspector, who filed O.A.No.8227/2012 before the A.P.Administrative Tribunal, which was still under trial, Govt. have taken a view that his Disciplinary Case shall be kept pending till final outcome of the O.A.No.8227/2012 filed by him in Tribunal.

8 In the reference ninth read above, the Inquiring Authority, Commissioner Of Inquiries(COI.H), has forwarded the Report of Enquiry along with it's enclosures, wherein he held that the charges framed against 1)Sri I.Sainath, Motor Vehicle Inspector, 2)Sri B.R.K.Satya Murthy, 3)Sri V. Ramakrishna, 4)Sri P.Seshagiri Rao, Asst. Motor Vehicle Inspectors, and 5)Sri M.Ram Kumar, Transport Constable, as Not Proved.

9. Government, after careful examination of the entire issue, have observed that since Sri B.Sankar, Motor Vehicle Inspector, and Sri B.R.K.Satya Murthy, Asst. Motor Vehicle Inspector, are presently working in the State of Telangana, and also keeping in view the *Judgement of Hon'ble High Court of Patna in the State of Bihar Vs. Aravind Vijay Bilung and another,* needs to decide for transferring the Inquiry Report of Commissioner Of Inquiries(COI.H) in respect of Sri B.R.K.Satya Murthy, Asst. Motor Vehicle Inspector, and also for transferring the entire connected material record including the Director-General, Anti-Corruption Bureau's Surprise Check Report Dated: 29.10.2010, the Charge Memo Dated:29.12.2012 of the Transport Commissioner, A.P., Written Statement of Defence, Tribunal's Interim Order Dated:13.03.2013 in O.A.No.8227/2012, Final Orders of A.P.Administrative Tribunal Dated:01.12.2015 in the above said O.A., etc., in respect of Sri B.Sankar, Motor Vehicle Inspector, without taking any disciplinary action against him, duly explaining the factual position in the form of a Status Report, to the Transport, Roads & Buildings Department, Telangana Secretariat, Telangana State, for taking further action against them at their end.

10. In so far as the remaining Four Charged Officials, viz., 1)Sri I.Sainath, Motor Vehicle Inspector, 2)Sri V. Ramakrishna, 3)Sri P.Seshagiri Rao, Asst.

Contd.P.3

Motor Vehicle Inspectors, and 4)Sri M.Ram Kumar, Transport Constable, are concerned, Government, after careful examination of the Inquiring Authority's Report of Enquiry, finding that the charges against them are held 'Not Proved', and accordingly, Government, accepting the Findings of the Enquiry Officer, have decided to drop further action against them.

11. Accordingly, Government hereby drop further action against 1)Sri I.Sainath, Motor Vehicle Inspector, 2)Sri V.Ramakrishna, 3)Sri P.Seshagiri Rao, Asst. Motor Vehicle Inspectors, and 4)Sri M.Ram Kumar, Transport Constable, in the above ACB Surprise Check Case.

12. The Transport Commissioner, A.P., Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUMITA DAWRA,
PRINCIPAL SECRETARY TO GOEVRNMENT

To

Sri I.Sainath, Motor Vehicle Inspector, Rajahmundry, Sri P.Seshagiri Rao, Asst. Motor Vehicle Inspector(Retd.), Sri V.Ramakrishna, Asst. Motor Vehicle Inspector(Retd.), and Sri M.Ram Kumar, Tr. Cosntable, O/o Deputy Transport Commissioner, Vijayawada, **THROUGH** the Transport Commissioner, A.P., Vijayawada.

The Transport Commissioner, A.P., Vijayawada(Five Copies). He is requested to serve the copies of the G.O. on all the above four individuals and furnish Dated Acknowledgements to Govt. for record.

Copy to:

1)The Director-General, Anti-Corruption Bureau, A.P., Vijayawada.
2)The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, A.P.Secretariat, Velagapudi, Amaraavathi(w.r.t. their Lr.No.8642/VC.AF/(2)/2010-5, Dated:10.02.2017).
3)SF/SC's.

//FORWARDED:: BY ORDER//

SECTION OFFICER